

The Honorable Judge Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA, a foreign
insurance company,

Plaintiffs,

v.

NORTH AMERICAN TERRAZZO, INC., a
Washington Corporation,

Defendants.

No. 2:19-cv-1175 MJP

**ORDER AND JOINT
DISCOVERY PLAN**

NORTH AMERICAN TERRAZZO, INC, a
Washington Corporation,

Third Party Plaintiff,

v.

TERRAZZO & MARBLE SUPPLY CO. OF
ILLINOIS, a foreign corporation,

Third Party Defendant

Plaintiff Travelers Property Casualty Company of America (hereinafter “Travelers”) and Defendant North American Terrazzo (hereinafter “NAT”) (collectively referred to as “The Parties”) hereby submit the following proposed order and discovery plan pursuant to the Court’s Minute Entry of July 30, 2020 (Dkt. 77). Specifically, the Parties request that the following

1 schedule be entered:

2 All motions related to discovery must be filed and noted on the motion calendar of the third Friday thereafter (see CR7(d))	September 15, 2020
3 Discovery Complete by	September 15, 2020

4

5 **I. Motions Currently Before the Court and Discovery Plan**

6 Currently before this Court are two Motions for Summary Judgment:

- 7 1. Travelers Motion for Partial Summary Judgment regarding Coverage
- 8 2. NAT's Motion for Partial Summary Judgment regarding its Extra-Contractual
- 9 Claims

10 Both of these pending motions are noted for August 14, 2020. In addition to the above

11 motions, Travelers plans on bringing an additional Motion for Summary Judgment regarding

12 NAT's extra-contractual claims. This motion will be noted for August 28, 2020. Travelers plans

13 on filing a motion for leave to file a contemporaneous motion in hopes that the Court will

14 consider all of the pending motions together.

15 Additionally, the parties have been working diligently to complete depositions. Given the

16 pending Motions, the parties believe it would be in the best interest of all the parties to delay the

17 depositions that are not needed to respond to the pending Motions until after the Motions noting

18 date.

19 The remaining depositions are as follows:

20 NAT plans on deposing the following witnesses:

- 21 A. William Partin – TBD by mutual agreement
- 22 B. Scott McClellan – TBD by mutual agreement
- 23 C. Steve Strzelec – TBD by mutual agreement

1 D. James Phillips – TBD by mutual agreement

2 E. Jason Soderman – TBD by mutual agreement

3 NAT reserves the right to depose additional witnesses as needed, and reserves all rights
4 regarding depositions already taken.

5 Travelers plans on deposing the following deponents:

6 A. Randy Rubenstein – August 6, 2020

7 B. J. Kay Thorne – August 13, 2020

8 C. Bruce Gilbert – August 27, 2020

9 D. Marnie Silver – September 2, 2020

10 E. Red Jensen – September 3, 2020

11 Travelers reserves the right to depose additional witnesses as needed, and reserves all
12 rights regarding depositions already taken.

13 Dated this 31st day of July, 2020.

14 LETHER LAW GROUP

ASHBAUGH BEAL

15 s/ Thomas Lether

s/Robert S. Marconi

16 s/ Eric Neal

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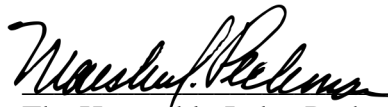
III. ORDER

Specifically, the Court ORDERS that the following schedule be entered:

All motions related to discovery must be filed and noted on the motion calendar of the third Friday thereafter (see CR7(d))	September 15, 2020
Discovery Complete by	September 15, 2020

IT IS SO ORDERED.

DATED this 31st day of July, 2020.



The Honorable Judge Pechman
United States District Judge

Dated this 31st day of July, 2020.

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s/ Eric Neal

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Counsel for North American Terrazzo

CERTIFICATE OF SERVICE

The undersigned hereby certifies under the penalty of perjury under the laws of the State of Washington that on this date I caused to be served in the manner noted below a true and correct copy of the foregoing on the parties mentioned below as indicated:

Richard T. Beal, Jr.
Robert S. Marconi
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Attorney for North American Terrazzo, Inc.

By: ☐ **First Class Mail** ☒ **ECF/ E-mail** ☐ **Legal Messenger**

Dated this 31st day of July, 2020 at Seattle, Washington.

s/ Lina Wiese
Lina Wiese | Paralegal